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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

09/917,729

Applicant(s)

TERADA, MASAHIRO

Examiner

KYUNG H. SHIN

Art Unit

2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 February 2008.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-56 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-56 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date: 6/20/06
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____

DETAILED ACTION

1. This application was filed 7/31/2001 with Foreign priority 7/31/2000.
2. Claims **1 - 56** are pending. Claims **1 - 3, 5, 8 - 10, 16 - 20, 26, 28 - 41, 43, 47 - 49, 51, 52** have been amended. Claims **54 - 56** are new. Independent claims are **1, 3, 5, 8, 9, 10, 16, 18, 20, 32, 34, 36**.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the **first** paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claims **1, 20** are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter, which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The added material, which is not supported by the original disclosure, is as follows.

The term "*adapting device*" in amended claims 1 and 20 does not appear within the specification or original claims. The device is not adapted to the menu. The menu is adapted to the device based on the identification information from the camera device. There is no adapting device but an adapting menu based on the authentication or identification of the user of the camera device. Appropriate correction required.

Claims **28 - 37** are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter, which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

The added material, which is not supported by the original disclosure, is as follows: The term *"first recording device"*, *"second recording device"* in amended claims **28 - 37** does not appear within the specification or original claims. There is a reference to a first communications device. But, a communications device is not the same as a recording device. Appropriate correction required.

Claims **1 - 3, 5, 8 - 10, 16 - 20, 26, 28 - 41, 43, 47 - 49, 51, 52** are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter, which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

The added material, which is not supported by the original disclosure, is as follows: The term *"portable camera"* in amended claims does not appear within the specification or original claims. There is a reference to a camera device in the specification. In addition, the adjective "portable" is well known in the art and means an easily transportable camera. But, the specification only discloses a camera device. Safai

and Noro disclose a camera device with associated citations in the previous Office Actions. Appropriate correction required.

Response to Arguments

5. Applicant's arguments with respect to claims 1-53 have been considered but were not persuasive.

5.1 Applicant argues that the referenced prior art does not disclose, "identification information for a camera device for a user". (Remarks Page 24)

The claim limitation is for identification information for a camera. Noro discloses the capability to identify a particular camera via its camera name and IP address combination. This satisfies the claim limitation. Noro discloses an additional usage for the identification information in the management of camera devices. But, the camera device is uniquely identified with a set of information (identification information). (Noro col 8, ll 47-51; col 12, ll 50-56: camera is registered and used by a client)

5.2 Applicant argues that the referenced prior art does not disclose, "a portable camera". (Remarks Page 25,)

There is no disclosure for a portable camera in the specification or the original claims. Therefore, a camera device such as disclosed by Safai and Noro is sufficient to reject the camera device claim limitations.

5.3 Applicant argues that the referenced prior art does not disclose, an adapting device that adapts a service menu associated with the products identification information" or "adapting a service menu". (Remarks Page 25)

There is no disclosure of an adapting device. See 112 rejections.

5.4 Applicant argues that the referenced prior art does not disclose, obviousness. (Remarks Page 26)

The rejection to each independent and dependent claim includes a citation from the referenced prior art that discloses the basis for the rejection. Each obviousness combination clearly indicates the claim limitation the combined reference prior art teaches. In addition, a cited passage from the referenced prior art clearly indicates the motivation for the obviousness combination. Each obviousness combination's disclosure is equivalent to the Applicant's claimed limitation(s) for the claimed invention.

Achieved advantage is a valid motivation for the combination of referenced prior art. The combination of each referenced prior art combination states a motivation for the combination, which translates to an achieved advantage for the combination.

All of the referenced prior art is in the same field of endeavor and a search by one skilled in the art would have returned the referenced prior art within the set of returned prior art.

5.5 Applicant argues that the referenced prior art does not disclose, dependent claims. (Remarks Page 27)

Arguments for dependent claims are based upon above arguments for independent claims **1, 3, 5, 8, 9, 10, 20, 32**. The successful responses to arguments for independent claims **1, 3, 5, 8, 9, 10, 16, 18, 20, 32, 34, 36**, also successfully respond to the current arguments against the dependent claims **2, 4, 6 - 8, 11 - 15, 21 - 31, 38 - 41, 43 - 53 and 17, 19, 35, 37**.

Claim Rejection – 35 USC § 103

The text of Title 35, U.S. Code not included in this action can be found in a prior Office action.

6. **Claims 1 - 15, 20 - 32, 38 - 41, 43 - 56** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Safai** (US Patent No. **6,836,617**) in view of **Noro et al.** (US Patent No. **6,646,677**).

Regarding Claim 1, Safai discloses a communication apparatus, comprising:

- b) an adapting device that adapts a service menu associated with the products identification information; (Safai col 21, l 66 - col 22, l 2; col 22, ll 40-45; col 7, ll 38-42: service menu utilized: term adapting device does not exist, service menu displayed)
- c) a displaying device that displays the images received from the portable camera by the first communication device and displays a service menu associated with the product identification information and enabled for a user identified by the product identification information; (Safai col 3, ll 23-36; col 3, ll 39-43: network connected server; col 5, ll 15-20; col 6, ll 41-48; col 11, ll 53-56: image display

device; col 21, l 66 - col 22, l 2; col 22, ll 40-45; col 7, ll 38-42: service menu utilized; col 4, ll 61-64: recording of images, camera (portable); col 16, ll 54-57: user registration to enable registered user)

- d) a selecting device that selects an image among the images displayed by the displaying device and selects a service among the services displayed by the displaying device; (Safai col 11, ll 46-49; col 11, ll 53-56: select image for processing; col 21, l 66 - col 22, l 2; col 22, ll 40-45; col 7, ll 38-42: menu capabilities (i.e. select a service))

Safai discloses a communications apparatus that receives images. (Safai col 4, ll 61-64: image processing (generation) capabilities; col 3, ll 23-26; col 3, ll 39-43; col 15, ll 1-6; col 15, ll 44-46: network server, network communications capabilities; col 7, ll 38-42: image upload capability), and wherein a portable camera for recording at least one of image data and voice on a recording medium (Safai col 4, ll 61-64: recording of images, recording device). Safai does not explicitly disclose identification information for a camera device of a user, the transmission of identification information for a camera device of a user.

However, Noro discloses:

- a) identification information of a owned by a user from the device; (Noro col 8, ll 47-51; col 12, ll 50-56: transfer of identification information for a camera device)
- e) a second communication device that transmits the identification information, (Noro col 8, ll 47-51; col 12, ll 50-56: transfer of identification information for a camera device)

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Parulski to enable the transmission of identification information for a user camera device as taught by Noro. One of ordinary skill in the art would be motivated to employ Noro in order to optimize real-time camera control for a client having access control. (Noro col 3, ll 48-52: “ ... *On the other hand, in order to satisfactorily attain camera control at the client having the right of camera access, images are preferably reproduced in real time so as to recognize images of the sensed object in real time ...* ”)

Regarding Claim 2, Safai discloses the communication apparatus as defined in claim 1,

- a) wherein the first communication device automatically starts communicating with the portable camera when the user connects the recording device with the first communication device; (Safai col 5, ll 15-20; col 6, ll 41-48: images displayed; col 6, l 65 -col 7, l 4: when connected to camera (automatically, hot-pluggable (plug in online); col 4, ll 61-64: recording of images, recording device) and
- b) wherein the second communication device starts communicating with the service center through the network as need arises. (Safai col 15, ll 18--26: communication with service center (service provider) when activated, need arises)

Regarding Claim 3, Safai discloses a server, comprising:

- a) a communication device that receives information of a portable camera used by a user identified by the identification information; (Safai col 21, ll 20-24; col 21, ll 34-45: database accessed to retrieve user personalization information that designates particular user camera; col 3, ll 23-26; col 3, ll 39-43; col 15, ll 1-6; col 15, ll 44-46: network connected server; col 16, ll 54-57: user registration)
- b) a recording device that records the information and a service menu associated with the identification information and enabled for the user identified by the identification information; (Safai col 21, ll 20-24; col 21, ll 34-45: database user personalization information; col 21, ll 66 - col 22, ll 2; col 22, ll 40-45: service menu utilized) and
- c) a reading device that reads the service menu from the recording device according to the information; wherein the communication device transmits the service menu to the user. (Safai col 21, ll 66 - col 22, ll 2; col 22, ll 40-45: menu capabilities utilized to process services, service menu, software elements of server cooperate with camera to display menu)

Safai does not explicitly disclose whereby product identification information identifying a particular camera by a user. However, Noro discloses identification information for a user camera. (Noro col 8, ll 47-51; col 12, ll 50-56: transfer of identification information for a camera device)

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Parulski to enable the transmission of identification information for a user camera device as taught by Noro. One of ordinary skill in the

art would be motivated to employ Noro in order to optimize real-time camera control for a client having access control. (Noro col 3, ll 48-52)

Regarding Claims 4, 7, 12, 15, Safai discloses the server and service center as defined in claims 3, 5, 10, 13, further comprising:

- a) a payment information recording device that records the product identification information and a method of payment; (Safai col 27, ll 30-36; col 27, ll 46-48; col 20, ll 26-30; col 16, ll 57-64: payment capabilities for provided services)
- b) a payment method reading device that reads the method of payment from the payment information recording device according to the identification information received; (Safai col 27, ll 30-36; col 27, ll 46-48; col 20, ll 26-30; col 16, ll 57-64: payment capabilities for provided services) and
- c) a charge receiving device that receives a charge for a service in accordance with the method of payment read by the payment method reading device. (Safai col 27, ll 30-36; col 27, ll 46-48; col 20, ll 26-30; col 16, ll 57-64: payment charged to financial institution)

Regarding Claim 5, Safai discloses a server, comprising:

- a) a communication device that receives information of a camera used by a registered user identified by the products identification information; (Safai col 21, ll 20-24; col 21, ll 34-45: database accessed to retrieve user personalization information that designates particular user camera; col 16, ll 54-57: user

registration)

- b) a recording device that records user setting information on the user and a service menu showing services to be offered to the user; (Safai col 21, ll 20-24; col 21, ll 34-45: database user personalization information; col 21, l 66 - col 22, l 2; col 22, ll 40-45; col 7, ll 38-42: service menu utilized) and
- c) a device that reads the service menu from the recording device according to the information; wherein the communication device transmits the service menu to the user. (Safai col 21, l 66 - col 22, l 2; col 22, ll 40-45; col 7, ll 38-42: menu capabilities utilized to process services)

Safai does not disclose identification information for a camera device of a user.

However, Noro discloses product identification information identifying a particular portable camera by a user (Noro col 8, ll 47-51; col 12, ll 50-56: transfer of identification information for a camera device).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Safai to enable the transmission of identification information for a user camera device, and the capability for a registered user as taught by Noro. One of ordinary skill in the art would be motivated to employ Noro in order to optimize real-time camera control for a client having access control. (Noro col 3, ll 48-52)

Regarding Claim 6, Safai discloses the server as defined in claims 5, wherein the user setting information includes at least one of the following: a delivery address, a

distribution destination of image or audio data, a financial source, a password, an address, a name, a gender, a birthday and an age. (Safai col 16, ll 57-60: user information (i.e. name, address, e-mail address))

Regarding Claim 8, Safai discloses a server, comprising:

- a) a communication device that receives information of a portable camera used by a user identified by the identification information; (Safai col 21, ll 20-24; col 21, ll 34-45: database accessed to retrieve user personalization information that designates particular user camera)
- b) a recording device that records utility data showing services enabled for the user and being associated with the identification information; (Safai col 21, ll 20-24; col 21, ll 34-45: database user personalization (i.e. utility) data used to provide offered services)
- c) a reading device that reads the utility data from the recording device according to the information; (Safai col 21, ll 20-24; col 21, ll 34-45: database accessed to retrieve user personalization (i.e. utility) data providing user services) and
- d) a determining device that determines an order of services in a service menu to be offered to the user in accordance with the utility data; (Safai col 21, l 66 - col 22, l 2; col 22, ll 40-45; col 7, ll 38-42: preferred menu offerings capabilities utilized)
- e) wherein the communication device transmits the service menu showing the services in the order determined by the determining device. (Safai col 21, l 66 -

col 22, I 2; col 22, II 40-45; col 7, II 38-42: menu capabilities utilized)

Safai does not explicitly disclose wherein identification information for a camera device of a user. However, Noro discloses wherein the capability for product identification information identifying a particular portable camera by a user. (Noro col 8, II 47-51; col 12, II 50-56: transfer of identification information for a camera device)

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Safai to enable the transmission of identification information for a user camera device as taught by Noro. One of ordinary skill in the art would be motivated to employ Noro in order to optimize real-time camera control for a client having access control. (Noro col 3, II 48-52)

Regarding Claim 9, Safai discloses a server, comprising:

- a) a communication device that receives information of a portable camera used by a user identifier by the identification information from the registered user; (Safai col 5, II 15-20; col 6, II 41-48; col 11, II 53-56: image data from camera displayed; col 16, II 54-57: user registration; col 15, II 37-38; col 21, II 40-45; col 28, II 38-43: password capabilities)
- b) a recording device that records the password associated with the information; (Safai col 21, II 20-24; col 21, II 34-45: database storage of user information; col 15, II 37-38; col 21, II 40-45; col 28, II 38-43: password capabilities)

- c) a verifying device that reads from the recording device associated with the information received by the communication device and verifies the received password with the real password; (Safai col 21, ll 20-24; col 21, ll 34-45: database user personalization information accessed based on user; col 15, ll 37-38; col 21, ll 40-45; col 28, ll 38-43: password capabilities) and
- d) a device that allows services to the user when the passwords are the same and prohibits the services to the registered user when the password are different. (Safai col 21, ll 66 - col 22, ll 2; col 22, ll 40-45; col 7, ll 38-42: menu capabilities utilized; col 15, ll 37-38; col 21, ll 40-45; col 28, ll 38-43: password capabilities; col 16, ll 54-57: user registration)

Safai does not disclose identification information for a camera device of a user. However, Noro discloses the usage of product identification information identifying a particular portable camera by a user (Noro col 8, ll 47-51; col 12, ll 50-56: transfer of identification information for a camera device).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Safai to enable the transmission of identification information for a user camera device as taught by Noro. One of ordinary skill in the art would be motivated to employ Noro in order to optimize real-time camera control for a client having access control. (Noro col 3, ll 48-52)

Regarding Claim 10, Safai discloses a service center, comprising:

- a) a communication device that receives identification information of a portable

camera used by a user identifier by the identification information and service information, or receives the identification information, an image and the service information from the user; (Safai col 21, ll 20-24; col 21, ll 34-45: database accessed to retrieve user personalization information that designates particular user camera)

- b) a recording device that records user information on the user associated with the identification information; (col 21, ll 20-24; col 21, ll 34-45: database user personalization (i.e. utility) data used to provide offered services) and
- c) a device that reads from the recording device the user information associated with the identification information received by the communication device to specify the user, and provides a service corresponding to the service information to the user. (Safai col 21, ll 20-24; col 21, ll 34-45: database accessed to retrieve user personalization (i.e. utility) data providing user services)

Safai does not explicitly disclose whereby identification information for a camera device of a user. However, Noro discloses wherein product identification information identifying a particular portable camera by a user. (Noro col 8, ll 47-51; col 12, ll 50-56: transfer of identification information for a camera device)

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Safai to enable the transmission of identification information for a user camera device as taught by Noro. One of ordinary skill in the art would be motivated to employ Noro in order to optimize real-time camera control

for a client having access control. (Noro col 3, ll 48-52)

Regarding Claims 11, 14, Safai discloses the service center as defined in claims 10, 13, wherein the user information includes at least one of the following: a delivery address, a distribution destination of image or audio data, a financial source, a password, an address, a name, a gender, a birthday and an age. (Safai col 16, ll 57-60: user information (i.e. name, address, e-mail address))

Regarding Claim 13, Safai discloses the service center as defined in claim 10, wherein the service includes at least one of the following: an image or audio distributing service, an image printing service, a service for publicly opening an image on a network, and a service for saving an image in a server. (Safai col 7, ll 38-42; col 14, ll 59-62: image processing system, upload (i.e. save) image to a server for distribution)

Regarding Claim 20, Safai discloses a service method, comprising the following steps of:

- a) adapting a service menu associated with the product identification information;
(Safai col 21, l 66 - col 22, l 2; col 22, ll 40-45; col 7, ll 38-42: service menu utilized: term adapting device does not exist, service menu displayed)
- c) displaying the images and a service menu associated with the identification information and enable for the user identified by the identification information on a displaying device of the communication apparatus; (Safai col 5, ll 15-20; col 6,

II 41-48; col 11, II 53-56: display images; col 21, I 66 - col 22, I 2; col 22, II 40-45; col 7, II 38-42: menu capabilities utilized)

- d) selecting a service from the service menu, or selecting the service and an image among the images; (Safai col 21, I 66 - col 22, I 2; col 22, II 40-45; col 7, II 38-42: menu capabilities utilized (i.e. select image or service); col 11, II 46-49; col 11, II 53-56: select an image) and

Safai discloses:

- b) receiving images from a portable camera used by a user identified by identification information connected with a communication apparatus; (Safai col 5, II 15-20; col 6, II 41-48; col 11, II 53-56: image display device)
- e) transmitting the identification information and service information indicating the service selected, or transmitting the identification information, the service information and the images through a network. (Noro col 8, II 47-51: camera identification information transmitted between network connected systems (i.e. entities))

Safai does not disclose identification information for a camera device of a user.

However, Noro discloses product identification information identifying a particular portable camera by a user (Noro col 8, II 47-51; col 12, II 50-56: transfer of identification information for a camera device).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Safai to enable the transmission of identification

information for a user camera device as taught by Noro. One of ordinary skill in the art would be motivated to employ Noro in order to optimize real-time camera control for a client having access control. (Noro col 3, ll 48-52)

Regarding Claim 21, Safai discloses the service method as defined in claim 20, wherein:

- c) the server reads from the recording device the user information associated with the information received by the communication apparatus from the service center and transmits the read user information to the service center. (Safai col 3, ll 23-26; col 3, ll 39-43; col 15, ll 1-6; col 15, ll 44-46: network connected server; col 21, ll 66 - col 22, ll 2; col 22, ll 40-45; col 7, ll 38-42: menu capabilities utilized (i.e. response transmitted to server))

Safai discloses:

- a) the communication apparatus connects to the service center and transmits the information and the image to the service center; (Safai col 5, ll 15-20; col 6, ll 41-48; col 11, ll 53-56: image processing capabilities; col 3, ll 23-26; col 3, ll 39-43; col 15, ll 1-6; col 15, ll 44-46: network server, network communication capabilities ; col 7, ll 38-42: upload image to server)
- b) the server which communicates with the communication apparatus through the network has a recording device that records the information and user information on the user; (Safai col 3, ll 23-26; col 3, ll 39-43; col 15, ll 1-6; col 15, ll 44-46: network connected server; col 21, ll 20-24; col 21, ll 34-45: database user

personalization information)

Safai does not explicitly disclose the transmission of identification information for a camera device of a user. However, Noro discloses product identification information for a camera user. (Noro col 8, ll 47-51; col 12, ll 50-56: transfer of identification information for a camera device)

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Safai to enable the transmission of identification information for a user camera device as taught by Noro. One of ordinary skill in the art would be motivated to employ Noro in order to optimize real-time camera control for a client having access control. (Noro col 3, ll 48-52)

Regarding Claim 22, Safai discloses the service method as defined in claim 20, wherein:

- c) the server reads from the recording device the user information associated with the information received by the communication apparatus from the service center and transmits the read user information to the service center. (Safai col 3, ll 23-26; col 3, ll 39-43; col 15, ll 1-6; col 15, ll 44-46: network connected server; col 21, ll 66 - col 22, ll 2; col 22, ll 40-45; col 7, ll 38-42: menu capabilities utilized (i.e. response transmitted to server))

Safai discloses:

- a) the communication apparatus connects to the service center and transmits the

information and the image to the service center; (Safai col 5, ll 15-20; col 6, ll 41-48; col 11, ll 53-56: image processing capabilities; col 3, ll 23-26; col 3, ll 39-43; col 15, ll 1-6; col 15, ll 44-46: network server, network communication capabilities; col 7, ll 38-42: upload image to server)

- b) the server which communicates with the communication apparatus through the network has a recording device that records user information and user information on the user; (Safai col 3, ll 23-26; col 3, ll 39-43; col 15, ll 1-6; col 15, ll 44-46: network connected server; col 21, ll 20-24; col 21, ll 34-45: database user personalization information)

Safai does not explicitly disclose the transmission of identification information for a camera device of a user. However, Noro discloses product identification information for a user camera. (Noro col 8, ll 47-51; col 12, ll 50-56: transfer of identification information for a camera device)

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Safai to enable the transmission of identification information for a user camera device as taught by Noro. One of ordinary skill in the art would be motivated to employ Noro in order to optimize real-time camera control for a client having access control. (Noro col 3, ll 48-52)

Regarding Claim 23, Safai discloses the service method as defined in claims 20, wherein:

- a) the server which communicates with the communication apparatus through the

network has a recording device that records the identification information and a password of the user; (Safai col 3, ll 23-26; col 3, ll 39-43; col 15, ll 1-6; col 15, ll 44-46: image processing capabilities; col 3, ll 23-26; col 3, ll 39-43; col 15, ll 1-6; col 15, ll 44-46: network server, network communication capabilities) and

b) the server reads from the recording device the password associated with the received identification information verifies a password received from the user with the password read from the recording device, and then allows the service when the passwords are the same and prohibits the service when the passwords are different. (Safai col 3, ll 23-26; col 3, ll 39-43; col 15, ll 1-6; col 15, ll 44-46: image processing capabilities; col 3, ll 23-26; col 3, ll 39-43; col 15, ll 1-6; col 15, ll 44-46: network server, network communication capabilities; col 16, ll 54-57: user registration; col 15, ll 37-38; col 21, ll 40-45; col 28, ll 38-43: password capabilities)

Safai does not explicitly disclose identification information for a camera device of a user. However, Noro discloses the usage of product identification information for the camera (Noro col 8, ll 47-51; col 12, ll 50-56: transfer of identification information for a camera device).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Safai to enable the transmission of identification information for a user camera device as taught by Noro. One of ordinary skill in the art would be motivated to employ Noro in order to optimize real-time camera control for a client having access control. (Noro col 3, ll 48-52)

Regarding Claim 24, Safai discloses the service method as defined in claim 20, wherein:

- a) a server which communicates with the communication apparatus through the network has a recording device that records the service menu associated with the information and the service menu; (Safai col 3, ll 23-26; col 3, ll 39-43; col 15, ll 1-6; col 15, ll 44-46: network connected server; col 21, ll 20-24; col 21, ll 34-45: database user personalization information; col 21, l 66 - col 22, l 2; col 22, ll 40-45; col 7, ll 38-42: menu of available services (i.e. image processing (upload/storage) entry in menu)) and
- b) the server selects from the recording device the service menu associated with the information from the registered user and transmits the selected service menu to the user. (Safai col 3, ll 23-26; col 3, ll 39-43; col 15, ll 1-6; col 15, ll 44-46: network connected server; col 21, l 66 - col 22, l 2; col 22, ll 40-45; col 7, ll 38-42: menu capabilities utilized; col 16, ll 54-57: user registration)

Safai does not explicitly disclose identification information for a camera device of a user. However, Noro discloses product identification information for a user camera (Noro col 8, ll 47-51; col 12, ll 50-56: transfer of identification information for a camera device).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Safai to enable the transmission of identification information for a user camera device. One of ordinary skill in the art would be

motivated to employ Noro in order to optimize real-time camera control for a client having access control. (Noro col 3, ll 48-52)

Regarding Claims 25, 29, Safai discloses the service method as defined in claims 24, 28, wherein:

- a) the communication apparatus connects to the service center and transmits the information and the image to the service center; (Safai col 7, ll 38-42; col 14, ll 59-62: upload image to server)
- b) the server which communicates with the communication apparatus through the network has a recording device that records the information and user information on the registered user; (Safai col 3, ll 23-26; col 3, ll 39-43; col 15, ll 1-6; col 15, ll 44-46: network connected server; col 21, ll 20-24; col 21, ll 34-45: database user personalization information; col 16, ll 54-57: user registration) and
- c) the server reads the user information from the recording device on reception of the information from the service center and transmits the user information to the service center. (Safai col 3, ll 23-26; col 3, ll 39-43; col 15, ll 1-6; col 15, ll 44-46: network connected server; col 21, ll 66 - col 22, ll 2; col 22, ll 40-45; col 7, ll 38-42: menu capabilities utilized (i.e. response transmitted to server))

Safai does not disclose identification information for a camera device of a user.

However, Noro discloses product identification information for a user camera (Noro col 8, ll 47-51; col 12, ll 50-56: transfer of identification information for a camera device).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Safai to enable the transmission of identification information for a user camera device as taught by Noro. One of ordinary skill in the art would be motivated to employ Noro in order to optimize real-time camera control for a client having access control. (Noro col 3, ll 48-52)

Regarding Claims 26, 30, Safai discloses the service method as defined in claims 24, 28, wherein:

- a) the communication apparatus connects to the service center and transmits the image and service information to the service center; (Safai col 7, ll 38-42; col 14, ll 59-62: upload image to server)
- b) the server which communicates with the communication apparatus through the network has a recording device that records the information and user information on the user; (Safai col 3, ll 23-26; col 3, ll 39-43; col 15, ll 1-6; col 15, ll 44-46: network connected server: col 21, ll 20-24; col 21, ll 34-45: database user personalization information) and
- c) the server reads the user information from the recording device on reception of the information from the service center and transmits the user information to the service center. (Safai col 3, ll 23-26; col 3, ll 39-43; col 15, ll 1-6; col 15, ll 44-46: network connected server; col 21, ll 66 - col 22, ll 2; col 22, ll 40-45; col 7, ll 38-42: menu capabilities utilized (i.e. response transmitted to server))

Safai does not disclose identification information for a camera device of a user.

However, Noro discloses product identification information for a user camera. (Noro col 8, ll 47-51; col 12, ll 50-56: transfer of identification information for a camera device)

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Safai to enable the transmission of identification information for a user camera device as taught by Noro. One of ordinary skill in the art would be motivated to employ Noro in order to optimize real-time camera control for a client having access control. (Noro col 3, ll 48-52)

Regarding Claims 27, 31, Safai discloses the service method as defined in claims 24, 28, wherein:

- a) a communication device that receives information of a camera owned by a user from the user; (Safai col 5, ll 15-20; col 6, ll 41-48; col 1, ll 53-56: image data from camera displayed; col 16, ll 54-57: user registration; col 15, ll 37-38; col 21, ll 40-45; col 28, ll 38-43: password capabilities)
- b) a recording device that records the information; (Safai col 21, ll 20-24; col 21, ll 34-45: database storage of user information)
- c) a verifying device that reads from the recording device according to the information by the communication device; (Safai col 21, ll 20-24; col 21, ll 34-45: database user personalization information accessed based on user) and
- d) a device that allows services to the registered user and verifies the password received from the registered user with the password read from the recording

device, then allows the services when the passwords are the same and prohibits the service when the passwords are different. (Safai col 21, l 66 - col 22, l 2; col 22, ll 40-45; col 7, ll 38-42: menu capabilities utilized; col 16, ll 54-57: user registration; col 15, ll 37-38; col 21, ll 40-45; col 28, ll 38-43: password capabilities)

Safai does not explicitly disclose identification information for a camera device of a user. However, Noro discloses the usage of product identification information for the camera (Noro col 8, ll 47-51; col 12, ll 50-56: transfer of identification information for a camera device),

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Safai to enable the transmission of identification information for a user camera device as taught by Noro. One of ordinary skill in the art would be motivated to employ Noro in order to optimize real-time camera control for a client having access control. (Noro col 3, ll 48-52)

Regarding Claim 28, Safai discloses the service method as defined in claim 20, wherein:

- a) a server which communicates with the communication apparatus through the network has a first recording device that records the information and utility information related to services used by the user; (Safai col 3, ll 23-26; col 3, ll 39-43; col 15, ll 1-6; col 15, ll 44-46: network server system; col 21, ll 20-24; col 21, ll 34-45: database (i.e. records), user personalization information, menu

capabilities) and

- b) the server reads from the first recording device the utility information associated with the information received from the user, determines an order of the services in the service menu in accordance with the utility information, and transmits the read service menu in the order to the registered user. (Safai col 5, ll 15-20; col 6, ll 41-48; col 11, ll 53-56: display system; col 21, l 66 - col 22, l 2; col 22, ll 40-45; col 7, ll 38-42: menu of available services (i.e. image processing (upload/storage) entry in menu); col 16, ll 54-57: user registration)

Safai does not explicitly disclose identification information for a camera device of a user. However, Noro discloses product identification information for a user camera (Noro col 8, ll 47-51; col 12, ll 50-56: transfer of identification information for a camera device).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Safai to enable the transmission of identification information for a user camera device as taught by Noro. One of ordinary skill in the art would be motivated to employ Noro in order to optimize real-time camera control for a client having access control. (Noro col 3, ll 48-52)

Regarding Claim 32, Safai discloses a service method in which a first recording device records user information on a user identified by identification information of a portable camera, and at least one of the following is offered: an image or audio distributing service, an image printing service, a service for publicly opening an image on a network,

and a service for saving an image in a server, said service method comprising the steps of:

- a) receiving the information and service information indicating a service, or receiving the information, an image and the service information from the user; reading from the recording device the user information associated with the received information to specify the user, and providing the service to the registered user. (Safai col 21, ll 20-24; col 21, ll 34-45: database containing user personalization information, menu capabilities to provide services; col 16, ll 54-57: user registration)

Safai does not explicitly disclose identification information for a camera device of a user. However, Noro discloses product identification information for a user camera (Noro col 8, ll 47-51; col 12, ll 50-56: transfer of identification information for a camera device).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Safai to enable the transmission of identification information for a user camera device as taught by Noro. One of ordinary skill in the art would be motivated to employ Noro in order to optimize real-time camera control for a client having access control. (Noro col 3, ll 48-52)

Regarding Claim 38, Safai discloses the communications apparatus as defined in claim 1, wherein the second communication devices transmits the information to the service center according to an operation mode of the portable camera in order to

Art Unit: 2143

execute logon to the service center. (Safai col 3, ll 23-26; col 39-43; col 15, ll 1-6; col 15, ll 44-46: server with network communications ; col 3, ll 23-26; col 3, ll 39-43; col 15, ll 1-6; col 15, ll 44-46: network server, network communications; col 16, ll 54-57: user registration; col 15, ll 37-38; col 21, ll 40-45; col 28, ll 38-43: password capabilities) Safai does not explicitly disclose whereby the usage of identification information for a camera. However, Noro discloses wherein product identification information to the service center according to an operation mode of the camera. (Noro col 8, ll 47-51; col 12, ll 50-56: transfer of identification information for a camera device)

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Safai to enable the transmission of identification information for a user camera device, and the capability for a registered user as taught by Noro. One of ordinary skill in the art would be motivated to employ Noro in order to optimize real-time camera control for a client having access control. (Noro col 3, ll 48-52)

Regarding Claim 39, Safai discloses the communications apparatus as defined in claim 38, wherein the operation mode of the portable camera includes an image storage mode and a video-conference mode. (Safai col 3, ll 23-26; col 3, ll 39-43; col 15, ll 1-6; col 15, ll 44-46: network server, network communications; col 6, ll 2-5: image storage capabilities)

Regarding Claim 40, Safai discloses the server as defined in claim 3, wherein the

reading device reads the service menu according to a function of the portable camera. (Safai col 5, ll 15-20; col 6, ll 41-48; col 11, ll 53-56: display system; col 21, l 66 - col 22, l 2; col 22, ll 40-45; col 7, ll 38-42: menu of available services (i.e. image processing (upload/storage) entry in menu)) Safai does not explicitly disclose the transfer of identification information for a user camera. However, Noro discloses wherein the camera that is specified by the identification information. (Noro col 8, ll 47-51: camera identification information transmitted between network connected systems (i.e. entities))

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Safai to enable the transmission of identification information for a user camera device as taught by Noro. One of ordinary skill in the art would be motivated to employ Noro in order to optimize real-time camera control for a client having access control. (Noro col 3, ll 48-52)

Regarding Claim 41, Safai discloses the server as defined in claim 3, wherein the reading device reads the service menu according to a registered user of the camera. (Safai col 5, ll 15-20; col 6, ll 41-48; col 11, ll 53-56: display system ; col 21, l 66 - col 22, l 2; col 22, ll 40-45; col 7, ll 38-42: menu of available services (i.e. image processing (upload/storage) entry in menu); col 16, ll 54-57: user registration) Safai does not explicitly disclose the transfer of identification information for a user camera. However, Noro discloses wherein the camera that is specified by the identification information (Noro col 8, ll 47-51: camera identification information transmitted between network connected systems (i.e. entities)).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Safai to enable the transmission of identification information for a user camera device as taught by Noro. One of ordinary skill in the art would be motivated to employ Noro in order to optimize real-time camera control for a client having access control. (Noro col 3, ll 48-52)

Regarding Claims 43, 47, 48, Safai discloses the communication apparatus as defined in claims 1, 5, 10, wherein the first communication device is configured to receive, from the portable camera, user setting data associated with the registered user identified by the identification information. (Safai col 21, ll 20-24; col 21, ll 34-45: database user personalization information; col 4, ll 1-4: user information (i.e. name, address, e-mail address); col 16, ll 54-57: user registration)

Regarding Claims 44, 46, 50, 53, Safai discloses the communication apparatus, server, service method as defined in claims 43, 46, 49, 51, wherein the user setting data include at least one of a delivery address, a distribution destination of image or audio data, a financial source, a password, an address, a name, a gender, a birthday and an age of the registered user. (Safai col 16, ll 57-60: user information (i.e. name, address, e-mail address))

Regarding Claim 45, Safai discloses the server as defined in claim 3, wherein the recording device is configured to record the user information of the registered user, and

wherein the reading device is configured to read the service menu according to the user information of the registered user. (Safai col 5, ll 15-20; col 6, ll 41-48; col 11, ll 53-56: display system; col 21, l 66 - col 22, l 2; col 22, ll 40-45; col 7, ll 38-42: menu of available services (i.e. image processing (upload/storage) entry in menu))

Regarding Claim 49, Safai discloses the service method as defined in claim 20, further comprising:

- a) recording user information of the registered user in the portable camera; (Safai col 21, ll 20-24; col 21, ll 34-45: database user personalization information; col 21, l 66 - col 22, l 2; col 22, ll 40-45; col 7, ll 38-42: service menu utilized) transmitting the user information from the communication apparatus to a server through the network, wherein the step of displaying the service menu on the displaying device of the communication apparatus includes:
- c) customizing, in the server, the service menu based on the identification information of the camera and based on the user information of the registered user; (Safai col 5, ll 15-20; col 6, ll 41-48; col 11, ll 53-56: image processing capabilities; col 3, ll 23-26; col 3, ll 39-43; col 15, ll 1-6; col 15, ll 44-46: network server, network communication capabilities; col 7, ll 38-42: image upload capability)
- d) transmitting the service menu from the server to the communication apparatus through the network; (Safai col 21, l 66 - col 22, l 2; col 22, ll 40-45; col 7, ll 38-42: menu capabilities utilized to process services) and

- e) displaying the service menu on the displaying device of the communication apparatus. (Safai col 3, ll 23-26; col 3, ll 39-43; col 15, ll 1-6; col 15, ll 44-46: network connected server, image display device; col 21, l 66 - col 22, l 2; col 22, ll 40-45; col 7, ll 38-42: service menu utilized; col 4, ll 61-64: recording of images, recording device)

Noro discloses:

- b) transmitting the identification information of the user to from the portable camera to the communication apparatus; (Noro col 8, ll 47-51; col 12, ll 50-56: transfer of identification information for a camera device) and

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Safai to enable the transmission of identification information for a user camera device as taught by Noro. One of ordinary skill in the art would be motivated to employ Noro in order to optimize real-time camera control for a client having access control. (Noro col 3, ll 48-52)

Regarding Claim 51, Safai discloses the service method as defined in claim 20, further comprising:

- a) recording, in a server, user information of the registered user in association with the identification information of the portable camera; (Safai col 21, ll 20-24; col 21, ll 34-45: database user personalization information, service menu utilized) wherein the step of displaying the service menu on the displaying device of the communication apparatus includes:

- b) retrieving, in the server, the user information of the registered user based on the identification information of the portable camera received from the communication apparatus; (Safai col 21, ll 20-24; col 21, ll 34-45: database accessed to retrieve user personalization information that designates particular user camera)
- c) customizing, in the server, the service menu based on the identification information of the portable camera and based on the user information of the registered user; (Safai col 3, ll 23-26; col 3, ll 39-43; col 15, ll 1-6; col 15, ll 44-46: image processing capabilities; col 3, ll 23-26; col 3, ll 39-43; col 15, ll 1-6; col 15, ll 44-46: network server, network communication capabilities; col 7, ll 38-42; col 14, ll 59-62: image upload capability)
- d) transmitting the service menu from the server to the communication apparatus through the network; (Safai col 21, l 66 - col 22, l 2; col 22, ll 40-45; col 7, ll 38-42: menu capabilities utilized to process services) and
- d) displaying the service menu on the displaying device of the communication apparatus. (Safai col 3, ll 23-26; col 3, ll 39-43; col 15, ll 1-6; col 15, ll 44-46: network connected server, image display device; col 21, l 66 - col 22, l 2; col 22, ll 40-45; col 7, ll 38-42: service menu utilized; col 4, ll 61-64: recording of images, recording device)

Regarding Claim 52, Safai discloses the service method as defined in claim 51. (Safai col 3, ll 23-26; col 39-43; col 15, ll 1-6; col 15, ll 44-46: image processing system; col 15, ll

54-57: user registration) Safai does not explicitly disclose the transfer of identification information of the camera identification information for a camera device of a user. However, Noro discloses further comprising: transmitting, to the server, the user information of the user and the identification information of the camera at a time of purchase of the portable camera by the user prior to recording the user information in the server. (Noro col 8, ll 47-51; col 12, ll 50-56: transfer of identification information for a camera device)

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Safai to enable the transmission of identification information for a user camera device as taught by Noro. One of ordinary skill in the art would be motivated to employ Noro in order to optimize real-time camera control for a client having access control. (Noro col 3, ll 48-52)

Regarding Claim 54, Safai discloses the communications apparatus of claim 2, wherein the first communications device automatically detects a connection with the portable camera. (Safai col 6, l 65 -col 7, l 4: when connected to camera (automatically, hot-pluggable (plug in online); col 4, ll 61-64: recording of images, recording device)

Regarding Claim 55, Safai discloses the communications apparatus of claim 54, wherein the automatic detection is by means of "Plug and Play" function. (Safai col 5, ll 15-20; col 6, ll 41-48: images displayed; col 6, l 65 -col 7, l 4: when connected to camera (automatically, hot-pluggable (plug in online); col 4, ll 61-64: recording of

Art Unit: 2143

images, recording device)

Regarding Claim 56, Safai discloses the communications apparatus of claim 54 wherein, when the connection is detected, an image viewer is automatically activated. . (Safai col 5, ll 15-20; col 6, ll 41-48: images displayed; col 6, l 65 -col 7, l 4: when connected to camera (automatically, hot-pluggable (plug in online); col 4, ll 61-64: recording of images, recording device)

7. **Claims 16 - 19, 33 - 37, 42** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Safai-Noro** and further in view of **Sloane** (US Patent No. **5,918,211**).

Regarding Claims 16, 18, 34, 36, Safai discloses a service center which offers a service on a camera owned by a user in response to a request from the user, the service center comprising:

Safai does not disclose identification information for a camera device.

However, Noro discloses:

- a) a communication device that receives identification information of the portable camera from the user; (Noro col 8, ll 47-51; col 12, ll 50-56: transfer of identification information for a camera device)

Safai discloses a recording device that records the information and a reading device that reads service information from the recording device according to the information

and wherein the communication device transmits service data to the user. (Safai col 3, ll 23-26; col 39-43; col 15, ll 1-6; col 15, ll 44-46: image processing system; col 21, ll 66 - col 22, ll 2; col 22, ll 40-45; col 7, ll 38-42: menu capabilities) Safai does not disclose the usage of after sales information.

However Sloane discloses, wherein:

- b) after-sales service information; (Sloane col 4, ll 28-32; col 7, ll 30-41: utilization of history (i.e. after sales) information in customer management) and
- c) a reading device that reads the after-sales service information; wherein the communication device transmits the read after-sales service information to the user. (Sloane col 4, ll 28-32; col 7, ll 30-41: utilization of history (i.e. after sales) information in customer management)

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Safai to enable the transmission of identification information for a user camera device as taught by Noro, and to enable the utilization of after sales information in customer management as taught by Sloane. One of ordinary skill in the art would be motivated to employ Noro in order to optimize real-time camera control for a client having access control (Noro col 3, ll 48-52), and to employ Sloane in order to motivate and alter purchasing decisions of customers (Sloane col 1, ll 11-15: "*... More particularly, it relates to a method and apparatus for alerting consumers of sales, or other product promotions, to motivate or alter their purchasing decisions at the point-of-purchase, and further, a security system for the apparatus ...*").

Regarding Claims 17, 19, Safai discloses the service center, wherein the service information is updating information of a program for the portable camera. (Safai col 3, ll 23-26; col 3, ll 39-43; col 15, ll 1-6; col 15, ll 44-46: image processing system; col 21, ll 66 - col 22, ll 2; col 22, ll 40-45; col 7, ll 38-42: menu capabilities) Safai does not disclose the usage of after-sales information. However, Sloane discloses as defined in claims 16, 18, wherein the after-sales information is updating information for the camera. (Sloane col 4, ll 28-32; col 7, ll 30-41: utilization of history (i.e. after sales) information in customer management)

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Safai to enable the transmission of identification information for a user camera device as taught by Noro, and to enable the utilization of after sales information in customer management as taught by Sloane. One of ordinary skill in the art would be motivated to employ Noro in order to optimize real-time camera control for a client having access control (Noro col 3, ll 48-52), and to employ Sloane in order to motivate and alter purchasing decisions of customers (Sloane col 1, ll 11-15).

Regarding Claims 33, 35, 37, Safai discloses the service method as defined in claims 32, 34, 36, further comprising:

- a) a payment information recording device that records the identification information and a method of payment; (Safai col 27, ll 30-36; col 27, ll 46-48; col 20, ll 26-30; col 16, ll 57-64: payment capabilities for provided services)

- b) a payment method reading device that reads the method of payment from the payment information from second recording device according to the identification information received; (Safai col 27, ll 30-36; col 27, ll 46-48; col 20, ll 26-30; col 16, ll 57-64: payment capabilities for provided services) and
- c) a charge receiving device that receives a charge for a service in accordance with the method of payment read by the payment method reading device. (Safai col 27, ll 30-36; col 27, ll 46-48; col 20, ll 26-30; col 16, ll 57-64: payment capabilities for provided services)

Safai does not disclose identification information for a camera device of a user.

However, Noro discloses identification information for a user camera. (Safai col 8, ll 47-51; col 12, ll 50-56: transfer of identification information for a camera device)

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Safai to enable the transmission of identification information for a user camera device as taught by Noro. One of ordinary skill in the art would be motivated to employ Noro in order to optimize real-time camera control for a client having access control. (Noro col 3, ll 48-52)

Regarding Claim 42, Safai discloses the server as defined in claim 8, wherein the utility data includes frequencies in the use of the services. (Safai col 3, ll 23-26; col 3, ll 39-43; col 15, ll 1-6; col 15, ll 44-46: network server system) And, Sloane discloses wherein utility data includes frequencies in the use of the services. (Sloane col 4, ll 28-32; col 7, ll 30-41: utilization of history (i.e. after sales) information in customer

Art Unit: 2143

management)

The term "frequencies" is not defined within the specification. The frequency of services is the occurrence and collection of after-sales (i.e. history) information.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Safai to enable the utilization of after sales information in customer management as taught by Sloane. One of ordinary skill in the art would be motivated to employ Sloane in order to motivate and alter purchasing decisions of customers (Sloane col 1, ll 11-15).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KYUNG H. SHIN whose telephone number is (571) 272-3920. The examiner can normally be reached on 9:30 am - 6 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan J. FLYNN can be reached on (571) 272-1915. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Kyung Hye Shin
Examiner
Art Unit 2143

KHS
July 6, 2008

/Nathan J. Flynn/

Art Unit: 2143

Supervisory Patent Examiner, Art Unit 2143